

New law: Does your COVID-19 Plan / process comply?

Gazette 11128 Direction Health & Safety in the workplace

Episode 5: 10 June 2020

The key requirements include:

1. A clear **re-opening Workplace Plan** with specific requirements, including appointment of a **Compliance Officer**.
2. **Application of regulations to all workers** (any person accessing your premises including contractors, volunteers etc).
3. **Consultation with representative trade unions and health & safety committees** on risk assessment and risk mitigation plan.
4. Clear obligations in respect of employees over the age of 60 or those with specified co-morbidities. **See Leading in COVID Times Edition 4 (To Follow)**.
5. **Screening to include detailed symptom assessment**. All indicating symptoms must be logged.
6. Minimise the number of workers at the workplace through rotation, staggering work hours and the like.
7. Provide **assistance in contact-tracing measures** should a worker become infected.
8. **Isolate when symptoms appear in a worker and carry out a risk assessment of transmission** to others and disinfect the employee's workstation.
9. If a worker presents with COVID-19 symptoms he or she must be placed on **paid sick leave**. If sick leave is exhausted, the employer should apply on the employee's behalf for an Illness benefit in terms of Temporary Employer Relief Scheme Directive.
10. A worker who tests positive for COVID-19 is **no longer required to produce a negative test before returning to work**. The consolidated Directive, requires the following:
 - Serving the mandatory 14 days of self -isolation;
 - A medical evaluation from a Medical Practitioner confirming fitness to work if the worker had moderate or severe illness;
 - The employer ensures that personal hygiene, wearing of masks, social distancing, and cough etiquette is strictly adhered to by the worker
 - The employer closely monitors the worker for symptoms on return to work; and
 - The worker wears a surgical mask for 21 days from the date of diagnosis.

11. Specific measures in managing PPE's and ongoing workplace management.
12. Sectoral or industry associations must, in the event of high health risks, develop sector-specific health protocols in consultation with the Department of Health to limit the spread of COVID -19 in the sector including providing for those circumstances where a firm within the sector cannot stagger working hours or provide transport for its employees.
13. Workers are required to follow COVID workplace health and safety measures **Employees may refuse to work** if circumstances pose an imminent and serious risk of their exposure to COVID-19.

